

**Maryland Board of Pharmacy  
Public Board Meeting**

**Agenda  
March 17, 2021**

<b>Name</b>	<b>Title</b>	<b>Present</b>	<b>Absent</b>
Bouyoukas, E	Commissioner		
Evans, K.	Commissioner		
Fink, K.	Commissioner		
Hardesty, J.	Commissioner/Treasurer		
Geigher, P.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner/President		
Oliver, B	Commissioner		
Rusinko, K.	Commissioner/Secretary		
Singal, S.	Commissioner		
Vasquez, J.	Commissioner		
Yankellow, E.	Commissioner		
Bethman, L.	Board Counsel		
Felter, B.	Board Counsel		
Speights-Napata, D.	Executive Director		
Fields, E.	Deputy Director /Operations		
James, D.	Licensing Manager		
Leak, T.	Compliance Director		
Chew, C.	Management Associate		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
<b>I. Executive Committee Report(s)</b>	<b>A.) J. Hardesty, Treasurer</b>  <b>B.)K. Rusinko, Secretary</b>	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> <li><b>1. Call to Order</b></li> <li><b>2. Sign-in Introduction and of meeting attendees</b> – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i></li> <li><b>3. Distribution of Agenda and packet materials</b></li> <li><b>4. Review and approve February 2021 Public Meeting Minutes</b></li> </ol>	
<b>II. A. Executive Director Report</b>	<b>D. Speights-Napata, Executive Director</b>	<ol style="list-style-type: none"> <li><b>1. Welcome to new board member Dr. Javier Vasquez</b></li> <li><b>2. PDMP Update</b></li> <li><b>3. Legislative Committee Report:</b> <ol style="list-style-type: none"> <li><b>A. SB 0894-Post-Crisis Jobs Act of 2021- Authorizes license or permit applicants to complete application requirements through a digital learning program--Support with Letter of Information</b></li> <li><b>B. HB 1041-Health Occupations Boards-Uniform Reporting-Required certain information from applicants before issuing or renewing a license, certificate, or registration--Bill has been pulled by sponsor</b></li> <li><b>C. SB 828-HIV Prevention Drugs-Dispensing by Pharmacists and Insurance Requirements-Support with Letter of Information</b></li> <li><b>D. HB 135-Pharmacists-Administration of Self-Administered Medications and Maintenance Injectable Medications-Support with letter of Information</b></li> </ol> </li> </ol>	

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B. New Business	J. Hardesty, Treasurer	1. None																																									
C. Operations	E. Fields, Deputy Director/ Operations	1. Procurement and Budget Updates a: February 2021 Financial Statements  2. Management Information Systems (MIS) Unit Updates a: None																																									
D. Licensing	E. Bouyoukas, Commissioner	1. Unit Updates 2. Monthly Statistics <table><tr><td>License Type</td><td>New</td><td>Renewed</td><td>Reinstated</td><td>Total</td></tr><tr><td>Distributor</td><td>13</td><td>0</td><td>0</td><td>1,459</td></tr><tr><td>Pharmacy</td><td>13</td><td>0</td><td>0</td><td>2,125</td></tr><tr><td>Pharmacist</td><td>30</td><td>441</td><td>0</td><td>13,163</td></tr><tr><td>Vaccination</td><td>71</td><td>136</td><td>0</td><td>5,525</td></tr><tr><td>Pharmacy Intern - Graduate</td><td>3</td><td>0</td><td>0</td><td>59</td></tr><tr><td>Pharmacy Intern - Student</td><td>3</td><td>14</td><td>0</td><td>783</td></tr><tr><td>Pharmacy Technician</td><td>118</td><td>280</td><td>1</td><td>11,168</td></tr></table>	License Type	New	Renewed	Reinstated	Total	Distributor	13	0	0	1,459	Pharmacy	13	0	0	2,125	Pharmacist	30	441	0	13,163	Vaccination	71	136	0	5,525	Pharmacy Intern - Graduate	3	0	0	59	Pharmacy Intern - Student	3	14	0	783	Pharmacy Technician	118	280	1	11,168	
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		<table><tr><td>Pharmacy Technician-Student</td><td>3</td><td>0</td><td>0</td><td>66</td></tr><tr><td>TOTAL</td><td>259</td><td>871</td><td>1</td><td>34,513</td></tr></table>	Pharmacy Technician-Student	3	0	0	66	TOTAL	259	871	1	34,513	
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E. Compliance	T. Leak, Compliance Director	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <p>Complaints &amp; Investigations:</p> <p>New Complaints – 21</p> <ul style="list-style-type: none"><li>• Customer Service – 2</li><li>• Employee Pilferage – 1</li><li>• Disciplinary Action in Another State – 6</li><li>• Fraud – 1</li><li>• Dispensing Error – 2</li><li>• NABP VPP Compounding Issues – 2</li><li>• Distribution Without a Permit – 1</li><li>• Unlicensed Personnel - 1</li><li>• Inspection Issues – 5</li></ul> <p>Resolved (Including Carryover) – 21</p> <p>Actions within Goal – 10/21</p> <p>Final disciplinary actions taken – 1</p> <p>Summary Actions Taken – 1</p> <p>Average days to complete – 78</p> <p>Inspections:</p> <p>Total - 88</p>											

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		Annual Inspections - 20 Covid Administration Inspection - 52 Opening Inspections - 11 Closing Inspections - 2 Relocation/Change of Ownership Inspections - 3 Board Special Investigation Inspections – 0	
<b>III. Committee Reports</b>  <b>A. Practice Committee</b>	<b>Evans, K. Commissioner</b>	<p><b>Chris Beebe</b> – Comprehensive Pharmacy Services: I am a hospital pharmacy consultant and have been asked for input about a potential situation involving medications and pharmacy services in Maryland. The scenario being explored is as follows:</p> <p>A hospital with an inpatient pharmacy on site ('home hospital') may wish to open a remote patient care unit within another hospital some distance away. The patients on this unit would be home hospital patients, the staff would be home hospital staff, and the unit beds would be registered on the home hospital license. There would not be a pharmacy or pharmacist in this remote unit. Medications would be provided through an automated dispensing cabinet (ADC) that home hospital pharmacy staff would regularly restock, monitor, and maintain. Remote unit orders would be reviewed and profiled by home hospital pharmacists, and home hospital pharmacists would be available for questions and consultation 24/7.</p> <ol style="list-style-type: none"> <li>1. All ADC activities and oversight would be in compliance with the regs in <a href="http://mdrules.elaws.us/comar/10.34.28.06">http://mdrules.elaws.us/comar/10.34.28.06</a>. Does the home hospital pharmacy simply need to add this ADC to an amended pharmacy permit application or officially notify the Board by some other method?</li> <li>2. Since there would be no pharmacy at the remote unit and the unit would be fully serviced by the home hospital pharmacy, this would not meet the definition/description of a decentralized pharmacy</li> </ol>	

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	S. Bouyoukas Recused	<p>in <a href="http://mdrules.elaws.us/comar/10.34.03.02">http://mdrules.elaws.us/comar/10.34.03.02</a> and <a href="http://mdrules.elaws.us/comar/10.34.03.17">http://mdrules.elaws.us/comar/10.34.03.17</a> and therefore no additional pharmacy permit would be required. Am I correct in this statement?</p> <p><b>Proposed response:</b></p> <ol style="list-style-type: none"> <li>1. Pharmacies utilizing remote automated systems must disclose such use on their application to the Board, as well as to the Board inspectors during inspection.</li> <li>2. No, this would not be considered a decentralized pharmacy</li> </ol> <p><b>Taylor McKenzie</b> –Walgreens: I’m a pharmacy manager of a Walgreens located in Frostburg, MD and we are doing LTCF COVID clinics out of my store. I have pharmacists licensed in other states who have their waiver to give vaccine in MD. I am hearing that they are not able come back into the pharmacy to enter the shots given in as an Rx and bill insurances. I wanted to make sure this is correct. Would that be considered working in MD without their license?</p> <p><b>Proposed response:</b> For information regarding licensure exceptions to administer COVID vaccinations during the state of emergency, please refer to the Secretary’s Order, dated 2/4/2021, which includes pharmacies as a “vaccination site”. Any further questions should be directed to your company’s counsel.</p> <p><b>Gavin Kahn</b> - Nuclear Diagnostic Products: Our pharmacy, Nuclear Diagnostic Products is a New Jersey licensed nuclear pharmacy that has been asked to prepare radiopharmaceuticals under an IND at the National Institutes of Health in Bethesda Maryland.</p> <p>I am writing to determine if we need an out of state pharmacy license to prepare and ship these drugs for this study. Or if it is possible to obtain a licensing exemption for the duration of, and specifically for this study.</p> <p><b>Proposed response:</b> If the drug is FDA approved, the pharmacy would need a Maryland pharmacy permit. If the drug is not FDA approved the pharmacy would not need a permit</p>	

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		<p><b>DTM: Both pharmacists approved</b></p> <p><b>Ebony Evans</b> - University of MD Department of Family and Community Medicine</p> <p><b>Kathleen Pincus</b> University of MD Department of Family and Community Medicine –</p> <p>New Sterile Inspection Report Form is ready for Board approval.</p>	
<b>B. Licensing Committee</b>	<b>K. Rusinko, Chair</b>	<p><b>1. Review of Pharmacist Applications:</b></p> <p>a. <b>124707</b> - Applicant is requesting an extension of his Board's application. Due to COVID he was unable to take the MPJE. <i>Committee recommendation: Deny, welcome to reapply.</i></p> <p>b. <b>124830</b> - Applicant is requesting a 2 to 3 month extension of his Board's application. He was diagnosed with COVID which hindered his ability to take the exam. <i>Committee recommendation: Approve extension of application for 3 months</i></p> <p>c. <b>125002</b> - Applicant is requesting an extension of her NAPLEX score which expired. <i>Committee recommendation: Approve NAPLEX score for 6 months, will need to reapply to Board if application expires</i></p> <p>d. <b>124688</b> - Applicant is requesting an extension of her application and an extension of here ADA accommodations. Being sick and taking care of sick family members have prohibited her from taking the exams.</p>	

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		<p><i>Committee recommendation: Extend ADA accommodations, must reapply</i></p> <p>e. <b>125147</b> - Applicant is requesting an extension of her Board's application. Due to COVID her test dates were cancelled and have been hard to reschedule.  <i>Committee recommendation: Deny, will need to reapply if application expires.</i></p> <p><b>2. Review of Pharmacy Intern Applications: NONE</b></p> <p><b>3. Review of Pharmacy Technician Applications:</b></p> <p><b>4. Review of Distributor Applications: NONE</b></p> <p><b>5. Review of Pharmacy Applications:</b></p> <p>a. <b>Gregg Taboh</b> - Requesting explanation for the denial of the non-resident pharmacy permit application. Pharmacy owner (100%) is an actively licensed physician in Florida.  <i>Committee recommendation: The owner cannot be an authorized prescriber in any state.</i></p> <p><b>6. Review of Pharmacy Technicians Training Programs:</b></p> <p>a. <b>Career Step</b>  Committee recommendation: Approve</p> <p>b. <b>Ultra Care Pharmacy</b>  Committee recommendation: Approve</p> <p><b>7. New Business:</b></p>	



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		<p>a. <b>Fortis Institute of Towson</b> - Board approved training program is requesting approval to transition to a “hybrid” program. Students will attend class on campus, however, the introductory course will be completed online.  <i>Committee recommendation: Approve change for introductory course be completed online as long as the training is in person.</i></p> <p>b. <b>Emily Shewmaker</b> - Permit holder is requesting guidance regarding vaccines not being transported. Permit holders question: “Am I allowed to give the COVID-19 vaccine in an off-site, or residential setting?”  <i>Committee recommendation: From a pharmacy practice perspective, the COVID 19 vaccination may be administered in an off-site/residential setting based on the Manufacturers requirements.</i></p> <p>c. <b>Lisa Moorhead</b> - Pharmacy owner has a technician in training whose 6 months are almost complete. The employees school (Ashworth) has given the employee an extension due to COVID. Does the school’s extension allow for employee to continue her training at the pharmacy?  <i>Committee recommendation: Cannot extend pass 6 months. Employee is welcome to continue the Technician Training program, however, after the 6 months the employee must stop working as a technician in training until registered with the Board.</i></p> <p>d. <b>Erika Hernandez</b> - Company wants to know if the Board will accept electronic signatures?</p>	

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		<i>Committee recommendation: Yes, electronic signatures will be accepted.</i>	
<b>C. Public Relations Committee</b>	<b>E. Yankellow, Chair</b>	<b>Public Relations Committee Update:</b>	
<b>D. Disciplinary</b>	<b>J. Hardesty, Chair</b>	<b>Disciplinary Committee Update</b>	
<b>E. Emergency Preparedness Task Force</b>	<b>N. Leikach, Chair</b>	<b>Emergency Preparedness Task Force Update</b>	
<b>IV. Other Business &amp; FYI</b>	<b>J. Hardesty, Treasurer</b>		
<b>V. Adjournment</b>	<b>J. Hardesty, Treasurer</b>	<b>A. The Public Meeting was adjourned.</b>  <b>B. K. Morgan convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</b>  <b>C. The Closed Public Session was adjourned. Immediately thereafter, K. Morgan convened an Administrative Session for purposes of discussing confidential disciplinary cases.</b>	

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		<b>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</b>	